

A special meeting of the Town of Victor Planning Board was held on Wednesday, November 9, 2016 at 7:00 p.m. at the Victor Town Hall at 85 East Main Street, Victor, New York, with the following members present:

PRESENT: Jack Dianetti, Chairman; Joe Logan, Vice Chairman; Ernie Santoro, Heather Zollo, Al Gallina

OTHERS: Wes Pettee, Town Engineer Consultant; Don Young, Town Attorney; Kim Kinsella, Project Coordinator; Cathy Templar, Secretary; Kate Crowley, Conservation Board; Mac & Betsy Warner, John LeFrois, David Nankin, Tooli Cullen, Lee Woodring, David Wright, Bob Kelly, Megan Polidori, Mauro Polidori, Richard Klein, Rich LeFrois, Bill Mendick, Melody Burri, Carla Biuso, Debra Hogan, Jerry Goldman, Peter Vars, JoAnn O'Brien, Don O'Brien, Joseph Hurley, Adam Frosino, Alan Knauf, John Sciarabba

APPROVAL OF MINUTES

On motion of Ernie Santoro, seconded by Al Gallina

RESOLVED that the minutes of June 14, 2016 be approved.

Jack Dianetti	Aye
Joe Logan	Aye
Ernie Santoro	Aye
Heather Zollo	Aye
Al Gallina	Aye

Approved 5 Ayes, 0 Nays

On motion of Ernie Santoro, seconded by Joe Logan

RESOLVED that the minutes of July 12, 2016 be approved.

Jack Dianetti	Aye
Joe Logan	Aye
Ernie Santoro	Aye
Heather Zollo	Aye
Al Gallina	Aye

Approved 5 Ayes, 0 Nays

On motion of Ernie Santoro, seconded by Al Gallina

RESOLVED that the minutes of October 11, 2016 be approved.

Jack Dianetti	Aye
Joe Logan	Aye
Ernie Santoro	Aye
Heather Zollo	Aye
Al Gallina	Aye

Approved 5 Ayes, 0 Nays

On motion of Ernie Santoro, seconded by Joe Logan

RESOLVED that the minutes of July 26, 2016 be approved.

Jack Dianetti	Aye
Joe Logan	Aye
Ernie Santoro	Aye
Heather Zollo	Aye
Al Gallina	Aye

Approved 5 Ayes, 0 Nays

On motion of Heather Zollo, seconded by Joe Logan

RESOLVED that the Fishers Ridge Workshop minutes of September 27, 2016 be approved.

Jack Dianetti	Aye
Joe Logan	Aye
Ernie Santoro	Aye
Heather Zollo	Aye
Al Gallina	Aye

Approved 5 Ayes, 0 Nays

CORRESPONDENCE RECEIVED

- Dave Tantilillo re: Gullace project
- Marsha Senges re: Gullace project
- Ruth Nellis re: Gullace project

BOARDS/COMMITTEES UPDATES

Chairman asked for reports from Town Board, Conservation Board, Parks & Rec, Victor Historical Advisory Committee, and there were no reports.

Planning Board reported by Kim Kinsella

- November 15, 2016
 - Victor Crossing modification of hours is the only item on the agenda

Chairman Dianetti requested a motion to open the public hearing. Motion was made by Ernie Santoro, seconded by Heather Zollo.

The legal notice for the public hearings appeared in “The Daily Messenger” and was read by Ms. Templar. Post Cards were mailed to property owners within a minimum of 500 ft from location of each application along with “Under Review” signs being posted on the subject’s parcels.

Legal notice was posted in the Daily Messenger and post cards were mailed to property owners at a minimum of 500’ from the subject parcel.

PUBLIC HEARING

Speakers are requested to limit comments to 3 minutes and will be asked to conclude comments at 5 minutes.

WOODRING SHED

7604 Arbor Glen Dr

Appl No 31-SP-16

Owner – Lee Woodring

Zoned – Limited Development District

SBL #6.01-2-15.000

Applicant is requesting approval for a 240 sf shed to be placed in the Limited Development District

Mr. Lee Woodring, owner addressed the Board.

Mr. Woodring – My wife and I own the residence at 7604 Arbor Glen Dr. Thank you for the opportunity to speak this evening. As stated, I’m here to seek your approval to construct a wood frame shed at our home, on the property. It’s in a Limited Development District and I found that out when I was going through the process for the building permit, in addition to the building exceeding 15 ft in height. I proceeded through the process and also during that process I met with the Conservation Board, there’s some comments that I can share a little bit later.

I’ll lay this out for you. We chose the design of the shed which we are using for our lawn mower, my son’s various recreational vehicles. We moved there last year and have pool furniture, decorations for the holidays, shed tools that we want to get out of our garage. We’re in the process of renovating our basement so there’s not room in the basement for it either.

We chose the location on our site that is in the woods, I provided some pictures to show you where it was. As you can see on our property, we have 4.5 acres. The septic is outlined in yellow in the front (referring to the plan that was presented) towards the road, our house sits behind the septic. In the northwest, in blue the proposed location sits right inside the woods. We chose that location for several reasons; to maintain the integrity of the landscape in terms of the

trees. There's a nice spot in the woods where we didn't have to remove any of the trees. It's surrounded by tall pine trees and there are two large oak trees in the front. As you can see in the pictures, we wanted to block the view from the road in the cul-de-sac which we're at the end of. It does block the view from our neighbors to the southwest and then there is a lot on the west side, Lot 16 that Woodstone owns.

The distance from the back of the lot is a little over 225 ft and to the front it is about 220 ft. and 30 ft from the lot line at Lot 16 which would be to our west. And as I mentioned, it's right inside of the wood line.

We chose the design as you can see to represent the architecture of living in a rural setting. We enclosed the plans that we are seeking to build through Woodtex which is a professional builder, their insurance approvals we have all in place for that. The colors of the proposed shed are to match our home which I mentioned in the documents, browns and beiges. Again, just so we can hide it up in the woods so people can't see it from the road, like our neighbors and I wanted to not take away from our home where it sits on top of the hill.

As I mentioned, the location of the shed is the same level as the first level of our home so it does sit down, it doesn't sit very high, it's very level to the first level of our home. Also, we didn't seek any approval for electric so it'll be dark at night so there aren't any lights on the building at all.

One item to bring to your attention, the far north portion of our lot, you'll see that there is a wetland area. We are quite a distance from that and the Conservation Board, we had discussions around that November 1st, I'm sure you probably received their comments, we're far enough away from that. There is one item that Mr. Benedict from the Town after reviewing our request had expressed that we take great care in not disturbing the land where the shed would be so it doesn't impact Lot 16 where the proposed septic system would be, the leach field. We feel we're far enough away from that and again, we didn't have to other than knocking over some weeds, we didn't have to disrupt any other portion of the property. I think that was it. I don't have anything to add.

Chairman Dianetti asked the public for comments and there were none.

Ms. Kate Crowley from the Conservation Board – Yes, Lee was at our meeting, the 1st of November and we did take a look at the site where they proposed the out structure. There are a fair number of slopes through out the property. I would note that where he is proposing the garage is one of the few flat places and is also in the woods. We did ask about the trees in the area and the plan is to not take any of the trees. I assume the garage builders are going to be very careful around the drip edges of the trees.

He's correct that there is an intermittent stream and an NWI wetland that is on the property. One of my suggestions was that when he submits the site plan that he just label the conservation easement. It's quite a ways back towards the rear of the property.

Other than that, we saw no concerns from the Conservation Board. Thank you.

Mr. Santoro – I noticed there is a loft proposed in there.

Mr. Woodring – It is a two story.

Mr. Santoro – My question would be, is that going to be a living quarters of any kind?

Mr. Woodring – No. The bottom floor is for our lawn mower and the various recreational vehicles that I mentioned. We were going to use the top floor for storage for our patio furniture and decorations and some other garden tools that we have in the garage.

Ms. Zollo, Mr. Logan, Mr. Gallina and Mr. Pettee had no questions.

The public hearing was closed.

RESOLUTION

On motion made by Joe Logan, seconded by Heather Zollo

WHEREAS, the Planning Board made the following findings of fact:

1. A Site Plan application was received on October 12, 2016 by the Secretary of the Planning Board.
2. It is the intent of the applicant to construct a 240 sf shed to be placed within the Limited Development District.
3. A public hearing was duly called for and was published in “The Daily Messenger” and whereby all property owners within 500’ of the application were notified by U.S. Mail. An “Under Review” sign was posted on the subject parcel as required by Town Code.
4. The Planning Board held a public hearing on November 9, 2016 at which time the public was permitted to speak on their application.
5. The application was deemed to be an Unlisted Action pursuant to Section 8 of the New York State Environmental Quality Review Act Regulations and a Short Environmental Assessment Form was prepared.
6. The application was referred to the Conservation Board and was reviewed November 1, 2016.

WHEREAS, the Town of Victor Planning Board reviewed the Unlisted Action on November 9, 2016 and identified no significant impacts; now, therefore, be it

RESOLVED, that the project, Woodring Shed will not have a significant impact on the environment and that a negative declaration be prepared.

NOW, THEREFORE BE IT RESOLVED that the application of Lee Woodring, received by the Planning Board October 12, 2016 Planning Board Application No. 31-SP-16 BE APPROVED WITH THE FOLLOWING CONDITIONS:

Conditions to be addressed prior to the chairman's signature on the site plan:

1. That comments from Code Enforcement Officer dated October 26, 2016 be addressed.
2. That the conservation easement be shown on plans.

Ongoing conditions:

1. That the site plan comply with Town of Victor Design and Construction Standards for Land Development, including Section 4.

AND, BE IT FURTHER, RESOLVED, that the Planning Board Secretary distribute the Planning Board's approval letter.

Jack Dianetti	Aye
Joe Logan	Aye
Ernie Santoro	Aye
Heather Zollo	Aye
Al Gallina	Aye

Approved 5 Ayes, 0 Nays

HISTORIC HIGH POINT RETAIL – SIGNAGE

240 High St

Appl No 33-SP-16

Zoned – Planned Development District

SBL # 1.02-1-13.000

Applicant is requesting approval for two monument signs and five building mounted signs. The monument signs would be located at the Rt 96/High Street Extension corner and the High Street/High Street Extension corner.

Mr. Fred Rainaldi, Jr from High Point and Mr. Doug Eldred from BME Assoc. addressed the Board.

Mr. Rainaldi – Good evening. I'm here to discuss the proposed signage and also a couple updates that are consistent with the presentation that we gave back in September on the same subject. This request has a number of reasons behind it. The first and foremost, we're very excited to announce that we'll be mostly full by the end of 2017 with tenants and I'm also excited to mention that many of the tenants are not new to the market or the region and they are also of the size and scale that we all decided was appropriate for not only the building's style but also the way this project was going to live in the community and the commercial district.

The project, this phase, all four of the retail phases which now includes the Chesapeake Parcel where Uno's, Longhorn are we'll be constructing a 25,000 sf retail building very soon. All these phases come with really cool public amenities also. So in 2017 we'll be introducing

formally our hiking trail systems, continuing the extension of our hiking trail systems through High Point Proper. We have teamed up with the North Face; we'll be installing a very cool rock climbing feature in the community area in front of the store. It's being designed right now in Colorado and will be shipped over this spring and it'll be a public feature. But we'll also be hosting clinics and other features and other events with that.

We have a small portion of the facility that we're going to be appropriating for a horse trail loop because we have a very cool equestrian purveyor that will be joining the project in 2017. Then we have partnered with a group that is going to be installing very beautiful installations of edible grape vineyards and organic garden features that we'll be developing almost like an eco tourism base, a support system to our retail operation.

Because a lot of the projects or features sit on the scene off of Route 96 and High Street, I do need some general indicators to help guide people into the project and these monument signs will be utilized to do that very thing. A lot of these features will be championed by the retailers and the businesses there themselves so it'll be a delicate way to at least identify that these features exist on the property.

I brought some building materials. The true limestone block I couldn't carry out of our office, it's quite large so I brought a sample of what it would look like. The goal is to make sure all the monument signs are the same bluestone and limestone that my father originally used for the marquee proper. We have enough of the bluestone, that's actually from the Lenrock Quarry. We have enough of the stone to use for all the monuments. So it'll be totally consistent not only with the retail monuments but also the monuments that service the office bldgs on top of the hill and then the residential features will also be serviced with the bluestone and the limestone.

As I mentioned, the retail, the way the bldgs were oriented, there is a numberwhat you're looking at is the back portion of the third phase of retail where there spa is, the cobblestone building, that block cobble building will go up this spring. A lot of the retailers are 2,000 sf, 3,000 sf, they're smaller and they're going to be back and not have much visibility from the street. But they're new brands and will require some market education and some brand awareness and the monument signs allow them to do just that. So we're hoping, for all of those reasons, that the Board would consider allowing the monument signs. Also, when we are complete with the fourth phase which is the Chesapeake phase where Uno's is, it's my intention to take the Uno's pylon sign which is the green metal pylon, all of those are coming down to a monument, I don't think that is necessary to have. So it will make everything consistent through those phases. What that allows us to do is have a very nice comprehensive presence there that it's for High Point and we're very proud of that fact. Are there any questions?

The reference to the building mounted signage; all that's saying is that we'll have multiple tenants in there and because of that instead of having one or two signs on the building, there will be a need to have a few signs of multiple tenants in that building. Approximately 3 more tenants in Building A which is where the spa is now, we'll have approximately 4 tenants in Building B which is the new building that is part of Phase 3.

Mr. Rainaldi turned his display around so that the audience could see them.

Chairman Dianetti asked for public comments and there were none, then he asked the Board members.

Mr. Gallina – No we've reviewed this about two months ago and I think the signs are very much in keeping with the character and the intent of the architecture so I'm fine.

Mr. Logan – No concerns about it. It looks great Fred. The perspective that you have on the drawing of the two sheets that we got, which is the colored photo of the existing blue building, is that from the right or left hand perspective?

Mr. Rainaldi explained the direction that the photo was taken and what was being shown.

Mr. Logan – You show a second sign on the right side.

Mr. Rainaldi – We have a tenant that will be taking almost the perfect footprint of where the gray clapboard portion is. We have requested that...the sign bands don't allow for much so for southbound traffic on Route 96, there's great value to have some exposure facing that way. It's going to be more of the focal mark that's important on the monuments, even that will be 6" to 8" which isn't much.

Mr. Logan – There is a similar monument on the other corner that you're proposing?

Mr. Rainaldi pointed out the location of the monuments that were being requested.

Mr. Logan- No concerns Jack.

Ms. Zollo had no concerns.

Mr. Santoro stated it looked very nice, just like the rest of the project did.

Mr. Logan – The Alex & Ani sign staying?

Mr. Rainaldi – We're in negotiations. I'm going to try to have that removed, Alex & Ani. I'm very proud of the relationship that I have with our tenants and I have a very active relationship even when the deal has been done and we've delivered the space. Alex & Ani has gone through a lot of change in their corporate structure, so I have to get the right audience. I have every intention to travel to Rhode Island to do that if I don't get the answer. My goal is to remove the monument sign. My goal is also to create an environment where I can remove all of the A-frame signs, everything that doesn't need to be there except for special events or announcing a new tenant opening.

Chairman Dianetti – I don't have any questions. I think it looks great.

Mr. Pettee – We didn't review this in our office but is the southeastern sign on High Street, is that at all in the Town's right of way?

Mr. Rainaldi – The sign will be fully on our lot. We're about 1.5 ft from the right of way. There'll be a swath of green space that is the right of way. When we manipulated that turn by North Face.....as you can see, the sign could have been a little closer to Route 96 but we kept

out of the right of way. The same condition will exist so there'll be quite a bit of grass which will be okay. It's just the line is not carried over. I'm committing that this sign will be within our lot and not the town's right of way.

Chairman Dianetti asked for any other public comments and there were none. The public hearing was closed.

RESOLUTION

On motion made by Joe Logan, seconded by Al Gallina

WHEREAS, the Planning Board made the following findings of fact:

1. A Site Plan application was received on October 11, 2016 by the Secretary of the Planning Board entitled Signage Amendments of Highpoint Retail Phase 2 and Phase 3.
2. Applicant is requesting approval for two monument signs and five building mounted signs. The monument signs would be located at the Rt 96/High Street Extension corner and the High Street/High Street Extension corner.
3. A public hearing was duly called for and was published in "The Daily Messenger" and whereby all property owners within 500' of the application were notified by U.S. Mail. An "Under Review" sign was posted on the subject parcel as required by Town Code.
4. The Planning Board held a public hearing on November 9, 2016 at which time the public was permitted to speak on this application.
5. The proposed site plan modification does not substantially change the action for which the SEQR Negative Declaration was issued on August 26, 2013.
6. The application was referred to the Ontario County Planning Board under Section 239 of the General Municipal Law on October 12, 2016.

NOW, THEREFORE BE IT RESOLVED that the application of BME Assoc., Site Plan entitled Sign Location Plan drawn by BME Assoc dated October 2016 received by the Planning Board October 11, 2016 Planning Board Application No. 33-SP-16 BE APPROVED WITH THE FOLLOWING CONDITIONS:

Conditions to be addressed prior to the chairman's signature on the site plan:

1. That comments from Code Enforcement Officer dated November 1, 2016 be addressed.

AND, BE IT FURTHER, RESOLVED, that the Planning Board Secretary distribute the Planning Board's approval letter.

Mr. Young asked Mr. Rainaldi to clarify whether the monument signs would not be in the Town's right of way. Mr. Rainaldi stated they were not in the right of way.

Mr. Young – Do you have any concerns with plowing and snow removal around them?

Mr. Rainaldi – They are so far off and we're going to do a beautiful stone lead up. It'll be a mirror image of the High Point signage.

Mr. Young – I just didn't want to see plows knocking ice and damaging them and things like that. So you've considered that? (Absolutely) That's all thank you.

Jack Dianetti	Aye
Joe Logan	Aye
Ernie Santoro	Aye
Heather Zollo	Aye
Al Gallina	Aye

Approved 5 Ayes, 0 Nays

Mr. Rainaldi announced that there would be a four year celebration at this location and all are welcome.

SUNSET MANOR SUBDIVISION

826 Co Rd 9

Appl No 4-PS-16

Owner - Mauro Polidori

Zoned – R2

SBL # 16.00-1-7.100

Applicant is requesting approval to subdivide 5 acres into 5 bldg lots. There is an existing 2 family house and barn located on Lot 1. The existing house is proposed to have an in-law apartment added to it.

Mr. John Sciarabba from Land Tech representing Mauro Polidori addressed the Board.

Mr. Sciarabba – As the public notice stated, this is a 5 acre parcel with an existing house on it that we are going to create a 5 lot subdivision, with 4 new building lots. The last time you saw this was in August and we made some changes related to some comments that were received but in general, the plan remains the same. It is located across from Duck Hollow on County Rd 9 and serviced by public water, sanitary sewer, gas/electric. Two unique features that we have; one is an existing Federal wetland located on the west side and the most interesting feature that we have is our driveway. The existing driveway that services the house used to be the original road prior to the thruway and is solely within the public right of way. That has led to comments from our Town Engineer and the Building Dept related to that. Most of the comments that we received is to that unique feature.

Other than that, the plan is generally complete. The 4 new lots are graded, walk out basements on 2 of them and we are set back significantly from the wetlands. We have also protected the wetlands with two easements; one very restrictive easement as you can see, its crossed etched (on the plan) and then another easement which means we also meet the requirement for the 50% conservation area as required by code and all the lots and setbacks meet the R1 code.

As I said most of the comments are related to the access and fire safety for the project. What we have proposed and we're still waiting for additional comments from both the County and the Town Engineer related to the project. What we've taken steps in doing is changing the driveway to meet the requirements of the Fire Chief. We received a letter dated today that he had some concerns so I provided the Board copies of what we want to do. The Board is aware that the existing driveway kind of slices off of the west side of County Rd 9 to access the house. Looking at the Fire Chief's comments, if a fire was to happen on the property, most likely the fire dept would come from the Village, from the south and making that turn would be impossible with a smooth turn, they would have to make several turns. What we want to do both for safety reasons is restrict that access with a typical residential driveway, create a 90 degree turn off of the road with a 50 degree radius that would allow the fire trucks to access the site. That would give a more controlled access to the property both for the residential vehicles as well. So instead of having that large expanse where people can just pull off and keep heading north, this will restrict them, align them 90 degrees to the road and make a safer access point.

That's really the most substantive changes that we've made. Also to increase the driveway width which currently now is gravel, approximately 10 to 12 ft wide, we've expanded that to 16 ft wide to meet the requirements of a private drive.

That's a quick overview. We're still waiting for comments and looking for some feedback this evening.

Mr. Young - The Town Engineer and I had a discussion on the driveway which to me is the central legal issue. I'm glad that the Fire Dept has chimed in and you've addressed their comments. Just a few questions with the added width, are you going to add a base and gravel on top of that?

Mr. Sciarabba – It will meet the requirements of the town. That driveway was an original road so the base is good. So we'll clean it up and make sure it meets the section requirement for a normal common driveway and the width.

Mr. Young – So for you and the Board's information, under the code, there is a distinction between a common drive and a private road. When it serves more than 3 houses, it's considered to be a private road which then kicks it up under the Design and Construction Standards to be constructed like a road that would otherwise be dedicated which would be different than what's being proposed here, at a minimal it would have to be paved, and it would also add significant cost to developer's proposal. Obviously, the developer is making use of an existing resource here so we think that makes sense and because of that we want to make sure the Board knows that it has the authority under the Town Code to waive the requirement that this be constructed to the standards of a dedicated road. In other words, it's not a common drive because it's serving more than 3. It's a private road which would otherwise be required to be developed like a

dedicated road if you didn't waive that requirement. So you have the power to waive that requirement particularly given the fact that it's more than 3 houses.

My suggestion would be to get some conformation from the relevant consultant whether it be the Engineer or the Fire Dept that the road could constructionally handle the traffic from the 5 houses to do the job it needs to do. So that's the first order of business.

The second; do you have a plan for maintaining the road, plowing it, fixing it?

Mr. Sciarabba – Again, it's a unique issue being that the road is holistically in the right of way. We're talking to the County DPW and they consider it our duty to maintain it just like every other house's portion of the driveway that extends from the ROW to the edge of pavement that everyone normally maintains. They are in agreement with the common driveway philosophy if you've read their October 11, 2016 letter from Ontario County. We want to protect our interest too. We want to do a cross access maintenance agreement and do that as part of the subdivision to make sure everyone has equal rights in maintaining and plowing this road.

Mr. Young – So essentially those 5 properties would chip in to have the road maintained.

Mr. Sciarabba – We'll submit that agreement to you prior to final so you can review it.

Mr. Young – That is what I was hoping to hear as it makes sense. I had read the County's letter and again it's interesting because this private drive is within the County ROW but the County has essentially said they won't have anything to do with it and to treat it like a driveway for purposes of maintenance. So what the developer is telling us is they are going to come up with an agreement like you might otherwise have for a shared driveway of 3 houses where everyone is going to agree to maintain it via some sort of filed document or agreement. I think as long as the applicant submits to us that agreement and we come to some conclusion with the Town Engineer that this road is sufficient from an engineering and structural standpoint, to handle what it is the developer has proposed to handle, that makes me happy.

Mr. Sciarabba – I'd like to point out that we do tend to pave that 16 ft as well so that section will not continue to be a gravel road.

Mr. Young – You're going to pave the whole thing?

Mr. Sciarabba indicated they were.

Ms. Kate Crowley from the Conservation Board – I looked back into our notes to find the site review. We did not walk this site and it was because it was overgrown and told it was full of poison ivy. What we did do was use our authoritative sources including the Natural Resource Inventory. You're right, there is a significant NWI wetland there which is duly noted. We were very concerned about the slopes down to the NWI wetland and making sure the drainage is put in, in a way that protects that wetland. As far as the driveway goes, as soon as you get up that slope and get away from those wetlands, we had no further concerns there.

Chairman Dianetti asked for public comment and there were none.

Mr. Santoro – This additional thing you added to the driveway for the fire trucks to get by, it looks like it's over the property line.

Mr. Sciarabba – Good catch. In the process of purchasing this property, we also procured a 50 ft easement from the church that owns the property surrounding us, west and adjacent to the ROW. That agreement is filed and I'll supply that to the Town Attorney as well.

Ms. Zollo had no questions.

Mr. Logan – Just to confirm, the easement appears to be shown with a triple dash line, 50 ft off on that sheet that you handed out. Is that what you are depicting?

Mr. Sciarabba – Yes, I'll supply the liber and page for that.

Mr. Gallina – Do all of the setbacks meet the code? (Yes)

Mr. Pettee- Don did an excellent job in recapping where we were with the driveway. I did get an opportunity to talk with Tim McElligott at the County. I know you guys have been in consultation with him as well. The one concern that he voiced which he mentioned that he would get you a comment letter/memo was the ability to construct the sanitary sewer, boring underneath the road, setting up on the slope between the road and the existing driveway. He was concerned that you might not be able to do that. (Correct) Is that something that you'd have any idea of where you would position to bore?

Mr. Sciarabba – Our approach right now is to be west of the existing driveway to take advantage of one of the homesites and dig that pit there and then bore slowly through underneath the existing road at --- depth. So we would go west of the existing driveway.

Mr. Pettee – Maybe where the manhole is?

Mr. Sciarabba – Yes in that general area and start there because it is a significant slope and depth.

Mr. Pettee –We are in the process of updating our comments. I know you're waiting for those and thank you for your patients. We did spend some time last week talking with the County and that was very helpful for us.

Mr. Sciarabba – They bored the existing house at one time.

Mr. Pettee – This is very helpful and we'll wait to get this plan in full size.

Mr. Sciarabba – If you look at that plan we haven't finalized the grading on that radius. We can talk with you off line on that before we finish the grading.

Chairman Dianetti – So you have some information to work on and a few issues to resolve.

Chairman Dianetti asked for any public comments and there were none. The public hearing was closed.

CONSERVE Public Hearing Continuation

County Rd 42

Appl No 2-PS-16

Owner: Salzman Realtor LLC

Acres: 2.34 Zoned: Light Industrial and Route 96/251 Overlay District

SBL #6.00-1-58.320

Applicant is requesting approval for a proposed 99,512 sf single story office bldg on 18.5 acres for a single tenant, ConServe, an accounts receivable management company. Parking provided for up to 965 vehicles. Phase 1 will include the bldg and approximately 706 parking spaces.

Mr. Jerry Goldman, Attorney and agent for Rich LeFrois of RRL Acquisitions addressed the Board.

Mr. Goldman – Good evening. RRL Acquisitions is the contract vendee of the 18.5 acre parcel of property on the north side of Main Street Fishers, west of Fishers Run. With me tonight is the Project Engineer, Peter Vars of BME Engineering as well as Rich LeFrois' Project Principle John LeFrois and Rich Cline from Conserve.

This is the continuation of a public hearing on this matter. We do know the focal issue and one of the primary focal issues to deal with is traffic on the site. I just want to give you an update on where we stand relative to traffic and where we stand at this point is that we have three governmental reviewing agencies that are involved. We have the Town, the County and the State and our Traffic Consultants SRF Assoc are working to try to reconcile the comments and the desires of the agencies with regard to information. That is not wholly completed at this time. We're anticipating a resubmission to the agencies during this week.

So tonight we are going to focus our comments on items other than traffic. There have been a number that have come up, one was noise. I think it was Ernie that was concerned about the noise of rooftop utilities and the light. We have provided information in that regard to the Board and also provided it to the Town Engineer. We've also received landscape comments from the Town's landscape consultant and basically there were two comments; one dealt with putting some plantings in the parking lot and also an inquiry of whether we were going to have plantings at the base of the building. Both of which we can accommodate and will be working on those details and get that squared away. We think that is relatively minor.

The third topic that came up at the last meeting was trails and the ability for us to accommodate Victor Hiking Trails and their desire to have this property be part of the trail network. In concept we are agreeable to that. Our main concern is trying to and it should be for hiking trails as well is to segregate the walking trails from the business portion of the site. I think that Peter has been in contact with Victor Hiking Trails and is well on the way to working all of that out.

Those were the only issues that we had identified outside of traffic for which we needed to provide additional information. I know that it's a continued public hearing so to that end, we'll stop our presentation here and listen to whatever comments the public has and be able to

move forward. My understanding was that the Board may consider working on Part 2 of the EAF as it relates to issues other than traffic and we would be very much interested in having that discussion move forward. With that I'll stop here. If the Board has any questions at this time or whether you want to hear the public first, that's your call.

Chairman Dianetti asked the public for comments.

Chairman Dianetti – I would ask that if you have new comments, come up and make them. If you're just going to restate comments that you've already made or have given to us in writing, make it quick so that we can move forward with this. Is there anyone here to make comments this evening?

Mr. Mac Warner from 600 Sauer Farms Dr – This is a residential development adjacent to the Conserve proposal. When we built 9 years ago we knew the Conserve proposal land was Light Industrial. As we read the Light Industrial regulations and viewed the existing Light Industrial facilities on Main Street Fishers we were okay with it. The Conserve project is nothing like existing facilities on Main Street Fishers. It is a land intensive and a traffic intensive application.

I'm going to make a few assumptions. First Main Street Fishers from Wangum to Route 96 has a finite traffic limit. The question is what is that capacity and how will it be defined. Number 2, Planning Board members present tonight will be gone from the Board in 5 to 10 years from now. Conserve has recognized the potential traffic problems and proposed a staggered work schedule to alleviate the problems. How are these schedules to be kept enforced in 3 to 5 years from approval if Conserve decides to change their work schedules? If 10 years from now, Conserve moves out and some other business moves into the building, and is not committed to the staggered schedule, how and who is to enforce that legally? Or if there is a new owner of the property, the same issue.

If Conserve, with whatever schedule, uses up the finite capacity, what happens to the build outs of Pinnacle and Lehigh Crossing? They need traffic capacity and none is left, are they out of luck? Your decisions today will be your legacy in 5 to 10 years from now.

In addition, the Hamlet of Fishers has a fire station that services Eastview Mall and a section of the thruway. Response time is critical. Will Conserve traffic delay this response time at critical traffic periods since Main Street Fishers is the route to serve those areas? Thank you for your consideration.

Chairman Dianetti – Thank you sir. Anyone else?

Mr. Dave Wright from 33 Ketchum Street, Chairman of Victor Hiking Trails – I just wanted to say that I did, along with Chauncy Young meet last Thursday, November 3rd at BME to discuss the possibility of a trail and it looked like it would be doable. We looked at where we could connect and it would include properties to the north as they get developed and beyond the north, closer to the thruway over to Log Cabin Road, possible trails over there as well as to the south to connect up to Pinnacle. Nothing would be done unless this project is approved and developed. At that point, we would mark out a trail but we would be looking for them to give the town a trail easement. Any questions?

Mr. Alan Knauf on behalf of MCA from Omnitech Business Park – We did expect to review the traffic study, obviously it's not done yet. We do ask that once it is released that we get 2 or 3 weeks for our traffic engineers here tonight to review it so we can digest it and give some comments.

We did review the memo from your traffic consultant and we're very happy that it indicates that they are requiring the revised traffic study to consider the projects that have already been subjected to a full SEQR review including Omnitech as well as Pinnacle and also the other on going projects to consider the whole cumulative impacts. The Town staff was nice enough to help me out with some FOIL requests that we made so I was able to research some of the history of Omnitech which I was not personally involved with the approvals. I don't know if anyone on the Board here was on the Board back in 1998 or 1999, maybe the Chairman was, it did go through a full FEIS and SEQR findings were made. Originally, it was proposed for 800,000 sf, it was cut back in mitigation to 600,000 sf. They had a long list of different traffic mitigation measures that were required as part of the SEQR findings in order to facilitate the project, of course the road going through but a number of different improvements. MCA contributed quite a bit of money towards those improvements as well as contributing to the subarea traffic study.

So basically, the development was approved with mitigation measures for the 600,000 sf. I noted that in the November 1, 2016 memo from your traffic consultant, only talks about 89,000 sf for approved bldgs and then a later phase to consider 178,000 sf in the second phase. However, we have only built out somewhere in the neighborhood of 240,000 sf or so, so we really have another 360,000 sf that there has been a full SEQR review on, SEQR findings, mitigation measures all in place. So we request that the traffic study consider our full build out. We don't have to do any more SEQR review, it's done. So if we have somebody that comes in tomorrow that wants to build that, obviously we have to go through the site plan review, we understand that consistent with the concept but we could go ahead and obviously we don't want our ability to build out compromised by this project.

Again I go back to, it just seems like this is a huge traffic problem and there certainly is a potential for a significant environmental impact and we do ask that the Board when they go through the process make a Positive Declaration and require an EIS so that we can fully air all of the possible alternatives. Thank you.

Ms. Debra Hogan from 580 Saurer Farms Dr – I have just a couple of things for tonight. First of all through the FOIL act I also obtained all of the documents that have been made available within the last 2 weeks including the County's traffic study and the memo that Jennifer sent. The way I understood her memo to you was a recommendation of a path forward for looking at the traffic and I hope that you will endorse that and actually implement everything that she has asked for because I think it is a very fair request on behalf of all of us and on behalf of her.

One of the things that made me think about as I looked at those documents, both the County's and her's was that the timing of when they did their traffic study was not when school was in session. There is a significant impact with school buses, activity buses, those kinds of things. So I do think the traffic study should be required to maybe collect data again during those times.

The other thing that came to mind as I looked at that data was that the time period that they collected the data was also when many people are on summer vacation and not around. I'm also concerned with how much traffic was actually missed that if again, if the traffic study was

done today we would see perhaps different data. So I'd like for you to take that into consideration as you think about the path forward with traffic.

The other thing and I will say that I've had dialog back and forth with Cathy (Templar) and I thank you Cathy for the information, it's not completely and entirely.....I'm not completely sure about this so I'll just say this, at the initial meeting that you had back in August, the informational meeting, there was a discussion by the Board about Phase 1 and Phase 2 for this project. I was not clear whether both phases would be approved at once or whether it would be Phase 1 followed by Conserve coming back for the second. I think the information that Cathy provided to me was that it depended on the SEQR review and what limits you guys put on them. But just so that you are aware, me and my math...sorry, I have to subject you again. The site plan that I have calls for 965 parking spaces at full build out for 1,000 employees. If you do the math, that's .965 spaces per employee. So in Phase 1 there are 600 employees, if you do the math, that would say they should require 579 parking spaces. In Phase 1, they are actually on their diagram, showing 706 spots. And again, if you do the math that would say that they could employ 731 people without adding another parking spot.

I have two concerns about this; one is that 731 is a lot different than 600 and I don't think the traffic studies are necessarily taking into impact that. So it should...or conversely the Board could come back and say let's create 579 spaces and put the rest in the unmanned category for Phase 2. If Conserve were willing to do that, then they also could address something that is very important to the residents in the area which we've talked about before which is removing some of those parking spaces that are closest to us.

The final point about this is if there are 706 parking spaces, very similar to the question that Mac raised which is; *how is this Board going to enforce the staggered shift hours, how is this Board going to enforce only 600?* I certainly don't want to be sitting out on the street counting Conserve employees. So thank you for your consideration.

Chairman Dianetti – Thank you. Anyone else from the public like to speak this evening?

Mr. Santoro had no comments.

Ms. Kate Crowley from the Conservation Board – One of the things that we did between when we reviewed the project is to look at some of the feedback that came back from BME. One of the things that I wanted to note is, one of the comments is that there is no impact on surface water and I agree with that 100%. I would also note that right across the street from this site, if you take a look at the environmental resource mapper, there is a primary aquifer that begins and like I say, it's on the other side of Main Street Fishers. When we start thinking about water, this *is* in the Irondequoit water shed. Yes, its not sitting next to the creek but it is high enough up so that water is going to drain off of that site. As the Conservation Board looked at it, one of the things that we talked about is similar to the comments that we're hearing tonight from the public, there's a lot of impervious surface between the roof of the building and the asphalt. One of the things that we kind of threw out as we were brain storming is, is this a good site for us to be using some green infrastructure practices? Pervious pavement, I know that green roofs are something that has to be planned well in advance even a portion of it. Theirs is going to be change in surface water and water runoff as this site is being developed.

The other thing that we made note of as we talked about it and talking about what's around it. I believe it's the western and northern boundaries; both abut to existing conservation

easements. One of the things that we've learned through some of our training is the larger the buffer we can create between different uses of space, the more valuable that space feels to both the residents and businesses. So I thought that I'd offer those comments.

Chairman Dianetti – Thanks Kate

Ms. Zollo had no comments

Mr. Logan- I don't have any comments at this time. I think that Ms Hogan mentioned the parking spots near the house eventually when they need them, they'll be built anyway I would think. As we discussed last time, there is a pretty severe drop off that I'm looking at in Google Earth, it's difficult to tell in that illustration (that was being provided by applicant) that it does drop off drastically. I'm not sure where you would put more parking if they needed it other than where they are proposing it. So I would suggest leaving it as banked parking for in the future when you need it. You need to also understand where the lighting is going to go and that type of impact. Let's keep that in mind as we go forward with this.

Mr. Gallina had no comments

Mr. Pettee – I don't have any comments at this point. I am prepared to walk the Board through a portion of the SEQR.

Chairman Dianetti asked if the public hearing should be closed at this time.

Mr. Pettee – I would suggest the Planning Board close the public hearing. It is my understanding through NYS Town Law on site plans, there are 62 days from the time the Planning Board closes the public hearing to act on the application. Don can you verify that?

Mr. Young - Generally that is the case but since SEQR is not completed it stays the time limitation. Would you agree Jerry (Goldman)?

Mr. Goldman – SEQR does have some play in that time limitation. So as long as we're within the SEQR process, it's still a little bit fluent.

Chairman Dianetti – If the Board doesn't object we'll close the public hearing.

Ms. Hogan from the audience – How can you do that without the traffic study coming back?

Discussion took place between Mr. Young and Chairman Dianetti

Chairman Dianetti – We're still going to have that information to discuss. It's been identified. It's not something that's not there, that we're not going to see. You'll still have an opportunity to comment. The Board's policy is that if it's on the agenda, the public can comment on the project even after the public hearing is closed.

Ms. Zollo – Will their comments become part of the record though?

Mr. Pettee – It's all part of the meeting minutes.

Mr. Santoro – Yes, it's part of the record.

Ms. Hogan from the audience – Why the urgency to close the public hearing?

Chairman Dianetti – I'm asking if there is an objection from the Board to close the public hearing.

Mr. Santoro – What happens if we leave it open? You can't leave it open forever.

Mr. Young – If you leave it open, it's just like all the other projects that have been open ended, people have the chance to speak, it's a public meeting.

Mr. Santoro – So leave it open.

Chairman Dianetti – Okay, then we'll leave the public hearing open.

Mr. Gallina – The only question, does this now set a precedent that until a project is approved that the public hearing remains open? Is that essentially what.....

Mr. Santoro –That's why I asked how long can we keep it open?

Mr. Goldman – How does this work by the way?

Mr. Young – So typically there is a defined time frame for a public hearing. Otherwise it could go on forever. So you have to limit it in some way. If you leave it open which you've done on other projects, you continue to hear the public via the public hearing process. If you close it, the public can still speak at the public comment section at the end of the meeting. The public can also submit written comments which is always available. The question was are you going to set any precedent if you leave open or close this public hearing? I don't think you're going to set any legal precedent, any binding precedent. You might have the public tell you *why did you do this for this project and you didn't do it for another project*. That's my thought on the precedent question.

I don't know if the traffic study is going to show anything significantly different or not that would merit the continuation of the public hearing. I think that what I would say, at this point in the SEQR process you don't typically get into public hearings but this Board has opted to have public hearings to hear the public out during the SEQR process. I'll make note of that, that the Board is sort of exceeding what is required at this point. But certainly as its option, it can continue to hold the public hearing open if it wants to or it can close it. Generally laws will allow you to keep it open for up to 120 days, that's at least in the subdivision process, I think it also applies to site plans. But again, the timing gets a little dicey when you're in the middle of a SEQR process because it sort of extends the timing and gives you additional time to complete the SEQR process.

Mr. Logan – By leaving it open?

Mr. Young – No, if there were any time limitations pressing, the fact that you're within the SEQR process puts a hold on those time limitations. Leaving the public hearing open or not doesn't really affect that. So you're really having to make the policy decision right now on this public hearing.

Mr. Goldman – For as long as I've been appearing before the various boards, as much as you remember 1998 and all of that, I remember back into the 80's! This Board has certainly always accepted public comment whether there was a formal public hearing open or not. So if there is a desire to close, that doesn't necessarily preclude any provision of any additional public comment relative to the matter.

Mr. Knauf – Our only point is that the application isn't really complete. Your traffic engineer has said that you need more information and once you put that information...it's very important information and we want to respond to it. The point of a public hearing is to be able to put in the comments to the Board. So there's no point to close the public hearing and it really shuts....you have a significant part of the application that is going to be put in after the public hearing is closed, really your application isn't complete, so I think it's improper. I don't have a problem limiting the hearing to the traffic issues so that it's not everything that is already been stated. But that's important, that we've got to be able to respond to it and discuss.

Chairman Dianetti – We will compromise and keep the public hearing open until the next meeting.

It was noted that the application would be back at the next Planning Board meeting which would be in less than one week, November 15th due to having an additional meeting for the month of November.

Mr. Goldman – Again, our objective.....

Chairman Dianetti – That's fine, we can keep it open until the next meeting that you're on the agenda.

Mr. Goldman – Our objective in the short term is to try to see if we can limit the issues as Alan pointed out.

Chairman Dianetti – I will limit the issues at the next meeting to transportation/traffic.

Mr. Goldman – In the mean time, our hope is that we could start working on the Part 2 on the other issues other than traffic, there are 20 questions and 1 of them relates to traffic and if we can get that behind us, then we're that much better in the process.

Chairman Dianetti – I will take responsibility in closing the public hearing and we'll limit the conversation to traffic. Everybody has had an ample opportunity to comment on the other topics

and issues. We'll take public comment after the public hearing has been closed and everyone will get an opportunity to speak, no one is going to be shut out.

Comment from Ms. Hogan in the audience was inaudible.

Chairman Dianetti- You will have ample opportunity to speak about the issues. You'll be able to come up and speak to the Board.

Ms. Hogan from the audience – What is the urgency to close the public hearing?

Chairman Dianetti – There is no urgency, there are....

Ms. Hogan's comment was inaudible from the audience

Chairman Dianetti – We're keeping it open until the next meeting.

Ms. Hogan – No you just said.....

Chairman Dianetti –We're keeping it open until the next meeting.

Ms. Hogan – You just said....

Chairman Dianetti –We're keeping it open until the next meeting.

Ms. Hogan – For *all* issues...

Mr. Knauf from the audience stated that there wasn't a traffic report yet.

Chairman Dianetti – We'll make that decision at the next meeting.

Ms. Hogan – For example, we're all waiting to hear how you'll be able to enforce hours of the shifts.

Chairman Dianetti – We're keeping it open for the next meeting. At that point in time, we'll make a decision on how to proceed.

Ms. Hogan – As long as it's not traffic only.....

Mr. Santoro –I don't think the audience can dictate what the Board does by way of their agenda. So you're just going to have to live with what the decision is. It's just like the applicant is going to have to live with what our decision is.

Mr. Pettee – We have a draft resolution that town staff put together to have the Planning Board declare themselves SEQR Lead Agency for the review of this project. That doesn't mean that you're taking any action on SEQR. It merely means that you are the agency that will ultimately make a decision on SEQR.

There were no comments or objections from the Planning Board members. The resolution was read.

RESOLUTION – LEAD AGENCY DETERMINATION

On motion made by Ernie Santoro, seconded by Joe Logan

WHEREAS, on September 6, 2016, the Secretary of the Planning Board received a Site Plan application entitled ConServe located on Main Street Fishers; and,

WHEREAS, it is the intent of the applicant to build a 99,512 sf single story office building for a single tenant, along with parking spaces for up to 965 vehicles on an 18.5 acre site and,

WHEREAS, the application is a Type I Action under State Environmental Quality Review Act; and,

WHEREAS, the Town of Victor Planning Board proceeded with coordinated review; and,

RESOLVED, that the Town of Victor Planning Board declared its intent to act as lead agency and directed the Planning Board Secretary to mail the EAF, with Part I completed by the project sponsor, and a copy of the site plan application to all identified involved and interested agencies, notifying them that a lead agency must be agreed upon within 30 calendar days of the date that the Environmental Assessment Form (EAF) was mailed to them expressing the Town Planning Board's intent to act as lead agency. Notification will be sent to the Town of Victor Town Board, NYS DEC, Monroe County Water Authority, and the NYS Department of Health. The Ontario County Planning Department, Town Highway, Town of Farmington Water & Sewer Department, and the Town of Victor Parks & Recreation Department will also be notified of the pending application as interested agencies.

WHEREAS, the involved agencies submitted responses indicating that they concurred with the Planning Board acting as Lead Agency; and,

WHEREAS, the Town of Victor Planning Board has reviewed the environmental record, including, but not limited to the Long Environmental Assessment Form and associated attachments,

NOW, THEREFORE BE IT, RESOLVED, the Town of Victor Planning Board assumes Lead Agency status.

Jack Dianetti	Aye
Joe Logan	Aye
Ernie Santoro	Aye
Heather Zollo	Aye
Al Gallina	Aye

Approved 5 Ayes, 0 Nays

Mr. Pettee – I do want to talk a little bit about Part 1 of the EAF. We know that there are some discrepancies between what is indicated on Part 1 of the SEQR EAF and how the project has evolved. Typically, when a project comes into the Town, the project sponsor will have their package together which includes a site plan, any supporting documentation or studies, a letter of intent and an Environmental Assessment Form Part 1 filled out. Through the public hearing process and through the evolution in development of a project, they sometimes change a little bit and I think as a result of consultation with town consultants and through public hearings, this project has changed a little bit.

That helps describe why there might be some discrepancies between Part 1 of the EAF as it was initially submitted with the original package and where the project stands today. For example, I know the hours of operation, I know that's a concern that we've heard. We're thinking about how it would be enforced with the adjusted shifts and the timing and that sort of thing.

One item that I did want to mention for the record for the copy of the Part 1 EAF that is kept in the town's file, I want to make a correction. I had some dialog with the project sponsor BME Assoc on Page 4 of 13 of Part 1 *Project Operations*. The question in Part 1 EAF indicates how much material including rock, earth, sediments, etc is proposed to be removed from the site. It wasn't a miscalculation, they've indicated 105,000 cubic yards would be removed from the site. However, that's a pretty substantial amount. I recognized this and called the applicant and asked them if that was the number they would be removing. They went back and looked at their information and indicated that they were in error stating 105,000 cy. What needs to be indicated on the record is that 8,800 cy is the volume of material that would be removed from the site. That's going to come into play when we eventually do look at Part 2 of the EAF because there is a question on Part 2 asking about the amount of removal that is happening.

I guess that is it for my comments on Part 1. Throughout the process of review, we know that there are some differences between Part 1 that is on the record that has been filed with the Town and how the project has evolved, we're keeping track of that and will continue to follow that as we evaluate Part 2 of the EAF going forward.

Mr. Young – I think at this point you have an EAF that is partially filled out, we don't have all of the information. There is sort of a suggested draft that the Board should take a look at and consider and be prepared to discuss at the next meeting when we get the traffic information. In that way, we can walk through it and come to a conclusion on the Part 2 and move the SEQR process forward.

Chairman Dianetti – That's if we have it for the next meeting?

Mr. Young – The next meeting, it's rather odd because we usually have 2 weeks between meetings and we have it in a week. You don't have the information before you. I don't know that it's really productive to say we're going to discuss a new traffic study in a week that we don't have yet. I think that is something that you should think about, whether this should be on the agenda or not. What's the plan so that we don't come to the next meeting and have a traffic study dropped on our desk?

Chairman Dianetti – We'll have to review it before the next meeting. To get it at the meeting is not the answer.

Mr. Young – I just want to be realistic about what we're going to be able to accomplish.

Mr. Goldman – Again, our objective at a minimum would be to try to address the non transportation issues in the Part 2 and put that all behind us. We can compartmentalize and focus on the topic which seemingly is the focal issue and its traffic.

Mr. Santoro – I don't think that is the only issue that is still open.

Mr. Goldman – I didn't say that. I said it was the focal issue.

Mr. Young – My recommendation to the Board would be to do the Part 2 EAF as a whole document and not do some now and some later. I think that would be cumbersome. I understand the applicant wanting to move forward. I don't think we're going to save a lot of time in doing some of these lesser issues now. I think it's just going to make things more difficult for the Board to get through on. I'd prefer for you to have all of the information and then we can go ahead and walk through this.

Mr. Goldman – Then I have to ask the question based on Ernie's observation, what other issues are out there and try to get some clarity so perhaps we can address all of them as soon as we can.

Mr. Santoro – You've heard the public comments so you know what they are.

Mr. Goldman – Are the public comments the only comments?

Mr. Santoro – Well and whatever the Board has had to say and the consultants.

Mr. Goldman – The question for us is focusing on which issues are germane to the Board. Are you saying everything is germane?

Mr. Santoro – That's correct

Mr. Young – The traffic we're going to look at. The other thing is any suggestions, any more ironed out proposals we have to address or implement the hour shift change, a letter or something that we can look at and think about would be very helpful.

Mr. Goldman – Ok, we'll look through the public comments from the prior meetings and try to get those addressed and get some input if we can as to whether there are still any issues once we address those.

Chairman Dianetti asked for any other comments and there were none.

Mr. Knauf – So when will it be on again?

Chairman Dianetti – It will depend on when we receive the traffic information.

Mr. Knauf – Again, we request time to review it.

Chairman Dianetti – Our next meeting is next Tuesday. There's not going to be a lot of time one way or the other.

Mr. Young – So is Conserve on the next meeting?

Mr. Knauf - We would request a date when it would be submitted for continuation of the hearing so that you're traffic consultant and our traffic consultant.....

Chairman Dianetti –I'd rather not take it off now because....

Mr. Goldman –We were informed by our traffic consultant they are attempting to get this completed and submitted to agencies, including the town by tomorrow. Hopefully that will be the case.

Ms. Hogan – But we don't have NYS input yet!

Chairman Dianetti – We're waiting for the information. If we don't have it by the next meeting, it won't be on the next meeting's agenda.

Ms. Hogan – And Jennifer requested in her letter to the Board that these guys address every issue that was raised with the County and with the DOT.

Mr. Santoro – We have to see what is in the report before we can make that decision.

Ms. Hogan – I don't see how you can do that in a week and allow us to.....

Mr. Santoro - ...I'm not saying we are going to do it in a week. We just have to see what we have.

Chairman Dianetti – We're saying that if we have the information before the next meeting, it will be on the agenda to discuss. If we don't have the information, it won't be on the agenda to discuss because we won't have the information that you are requesting. That's all we're saying.

Ms. Hogan – What about time for *us* to review it?

Chairman Dianetti – It's a public meeting. You'll have an opportunity to review the material.

Ms. Hogan – What does that mean?

Chairman Dianetti – That means exactly what I just said, you will have an opportunity to review the material. Sometimes we have one night to do it. You'll have an opportunity to do it. Nobody is going to try to pull anything over on anybody, not while I'm sitting up here.

Chairman Dianetti asked for a motion to adjourn the meeting.

Motion was made by Al Gallina, seconded by Joe Logan

RESOLVED the meeting was adjourned at 8:50 PM.

Cathy Templar, Secretary